

## Remarks

### Specification

The Examiner has objected to the specification because of informalities in the section headings. *See June 23, 2009 Office Action p. 2.* Those informalities have been corrected as reflected in the above amendments found on pages 2-3 of this Response.

### Claim rejections 35 U.S.C. §112

The Examiner has rejected Claims 1-25 under 35 U.S.C. §112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. *Office Action p. 2.* In particular, the Examiner asserts that it is unclear as to whether the claim elements are a means plus function limitation that invokes 35 U.S.C. §112, sixth paragraph. *Id.* The Applicant has clarified the claims and made amendments listed above that should satisfy this rejection.

### Claim rejections 35 U.S.C. §103

The Examiner has rejected Claims 1-10 and 14-25 as being rejected under 35 U.S.C. §103 (a) as being unpatentable over Kirchen et al. (US 5846039) in view of Hiraguri (US 5707190). *Office Action p. 4.* In particular, the Examiner points out that the second work engageable member acts in a folding manner and not as wings, but that wings are obvious in light of Hiraguri. Applicant argues that the means for assuming the first and second positions are deformable and that wings were simply an example. As such, the claims and specification have been amended to more clearly point out the deformable nature. This is further supported by the specification on Page 4, Lines 25-28. As such, these amendments are sufficient to overcome the Examiner's rejections.

In response to the Examiner's rejection of Claims 14 and 15, Applicant has withdrawn the claims for consideration.

Applicant has removed the rotational element from Claim 16 in order to overcome the claim rejection.

Applicant has withdrawn Claims 11-13 from consideration.

#### Conclusion

In light of the above claim amendments, Applicant believes this application is now in good form for allowance and respectfully requests that the Examiner grant allowance in this case.

#### Authorization

The Director is hereby authorized to charge any additional fees which may be required for this Reply, or credit any overpayment, to Deposit Account No. 50-3791.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Director is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 50-3791.

Sincerely:



Heather A. Kartsounes  
Reg. No. 53,732